

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 26

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Bove, Emil \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Lynch, Garrett](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: Draft closing  
**Date:** Sunday, March 8, 2020 12:01:52 PM

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Great. At lunch now but heading in after. Let me know if you want to meet or talk by phone.

Sent from my iPhone

On Mar 8, 2020, at 11:52 AM, Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)> wrote:

Thank you guys. We are through these now.

---

**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 7:09 AM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Draft closing

Draft rebuttal attached. I'm also available any time to discuss and welcome any suggestions.

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 3:20 AM  
**To:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Draft closing

Still a work in progress, but here is a draft to review. I'm going to keep working on it tomorrow, but welcome any suggestions, and available to talk any time.

Mike

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 27

**From:** [Silverman, Nicholas](#)  
**To:** [Kim, Jane \(USANYS\) 4](#); [Krouse, Michael \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); ["Garrett Lynch"](#)  
**Cc:** [Bishop, Bruce](#); [Fragale, David](#); [Heberlig, Brian](#); [Weingarten, Reid](#)  
**Subject:** GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 12:14:52 PM

---

Counsel:

We intend to request the following curative instruction from the Court. Please inform us by 2:00 p.m. (or earlier) whether you consent to the instruction:

Government Exhibit 411 is a June 2011 letter regarding an April 2011 transaction involving Stratus International Contracting Company. You saw that evidence this morning instead of earlier in trial because the government failed to turn it over before trial as required by law. The defendant learned of that evidence on Saturday afternoon when the government disclosed it.

**Nicholas P. Silverman**  
Associate  
[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

**Step toe**

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	<a href="http://www.step toe.com">www.step toe.com</a>

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# EXHIBIT 28

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** FW: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 12:16:17 PM

---

Wtf.

---

**From:** Silverman, Nicholas <nsilverman@steptoe.com>  
**Sent:** Sunday, March 08, 2020 12:15 PM  
**To:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; 'Garrett Lynch' <LynchG@dany.nyc.gov>  
**Cc:** Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>; Heberlig, Brian <BHeberlig@steptoe.com>; Weingarten, Reid <RWeingarten@steptoe.com>  
**Subject:** GX 411 - Response Requested by 2:00 p.m. or Earlier

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# EXHIBIT 29

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 12:23:41 PM

---

Yeah, we do not consent.

Sent from my iPhone

On Mar 8, 2020, at 12:16 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Wtf.

---

**From:** Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Sent:** Sunday, March 08, 2020 12:15 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; 'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>  
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# EXHIBIT 30

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**To:** [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 12:48:33 PM

---

What do you think about proposing a phone call on this and the defense witnesses?

Sent from my iPhone

On Mar 8, 2020, at 12:23 PM, Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)> wrote:

Yeah, we do not consent.

Sent from my iPhone

On Mar 8, 2020, at 12:16 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Wtf.

---

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**Sent:** Sunday, March 08, 2020 12:15 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; 'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>  
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# EXHIBIT 31

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Krouse, Michael \(USANYS\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 12:52:59 PM

---

That's fine, although I feel like it'll just be a scream fest.

On Mar 8, 2020, at 12:48 PM, Krouse, Michael (USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)> wrote:

What do you think about proposing a phone call on this and the defense witnesses?

Sent from my iPhone

On Mar 8, 2020, at 12:23 PM, Krouse, Michael (USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)> wrote:

Yeah, we do not consent.

Sent from my iPhone

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Wtf.

---

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**Sent:** Sunday, March 08, 2020 12:15 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; 'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>  
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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 32



**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#)  
**Cc:** [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:11:18 PM

---

It'll just be a screamfest. Unless there's specific information you think we'll get.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 12:53 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
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Sent from my iPhone

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**Sent:** Sunday, March 08, 2020 12:15 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; 'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Weingarten, Reid

<[RWeingarten@step toe.com](mailto:RWeingarten@step toe.com)>

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**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#)  
**Cc:** [Lake, Stephanie \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:16:04 PM

---

I think it's worth a try to avoid having this be a big blowout in court. I'm happy to speak. On the train now.

Sent from my iPhone

On Mar 8, 2020, at 1:11 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

It'll just be a screamfest. Unless there's specific information you think we'll get.

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**Sent:** Sunday, March 8, 2020 12:53 PM  
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What do you think about proposing a phone call on this and the defense witnesses?

Sent from my iPhone

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Sent from my iPhone

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Wtf.

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**From:** Silverman, Nicholas

<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Sent:** Sunday, March 08, 2020 12:15 PM

**To:** Kim, Jane (USANYS) 4

<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael  
(USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake,  
Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>;  
'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>

**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>;  
Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>;  
Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;  
Weingarten, Reid  
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Associate

[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

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# EXHIBIT 34

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**To:** [Kim, Jane \(USANYS\) 4](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:16:45 PM

---

I talked to Emil. Are you guys here / can we gather?

On Mar 8, 2020, at 1:11 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

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Yeah, we do not consent.

Sent from my iPhone

On Mar 8, 2020, at 12:16 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Wtf.

---

**From:** Silverman, Nicholas



<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Sent:** Sunday, March 08, 2020 12:15 PM

**To:** Kim, Jane (USANYS) 4

<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael  
(USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake,  
Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>;  
'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>

**Cc:** Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>;  
Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>;  
Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;  
Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>

**Subject:** GX 411 - Response Requested by 2:00  
p.m. or Earlier

Counsel:

We intend to request the following curative  
instruction from the Court. Please inform us  
by 2:00 p.m. (or earlier) whether you  
consent to the instruction:

Government Exhibit 411 is a June  
2011 letter regarding an April 2011  
transaction involving Stratus  
International Contracting Company.  
You saw that evidence this morning  
instead of earlier in trial because the  
government failed to turn it over  
before trial as required by law. The  
defendant learned of that evidence  
on Saturday afternoon when the  
government disclosed it.

**Nicholas P. Silverman**

Associate

[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

**Steptoe**

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+1 617 595 Washington, DC 20036  
6559 mobile [www.steptoe.com](http://www.steptoe.com)  
+1 202 429  
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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 35

**From:** [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**To:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)  
**Cc:** [Lake, Stephanie \(USANYS\)](#)  
**Subject:** RE: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:18:08 PM

---

There will be a blowup either way. I had a perfectly civil conversation with Heberlig about GX 432 on the phone the night before. Then he went bananas in court.

---

**From:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 1:16 PM  
**To:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Cc:** Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier

I think it's worth a try to avoid having this be a big blowout in court. I'm happy to speak. On the train now.

Sent from my iPhone

On Mar 8, 2020, at 1:11 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

It'll just be a screamfest. Unless there's specific information you think we'll get.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 12:53 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
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<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Sent:** Sunday, March 08, 2020 12:15 PM  
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<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael  
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'Garrett Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
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Fragale, David <[DFragale@steptoe.com](mailto:DFragale@steptoe.com)>;  
Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;  
Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>  
**Subject:** GX 411 - Response Requested by 2:00  
p.m. or Earlier

Counsel:

We intend to request the following curative instruction from the Court. Please inform us by 2:00 p.m. (or earlier) whether you consent to the instruction:

Government Exhibit 411 is a June 2011 letter regarding an April 2011 transaction involving Stratus International Contracting Company. You saw that evidence this morning instead of earlier in trial because the government failed to turn it over before trial as required by law. The defendant learned of that evidence on Saturday afternoon when the government disclosed it.

**Nicholas P. Silverman**  
Associate

[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 36

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Krouse, Michael \(USANYS\)](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:19:45 PM

---

Emil thinks we should say we're not offering. Then if they actually want it in themselves / can articulate some real Brady theory, we'll have to deal with it. Apparently Crotty gave a similar instruction in Shulte....

On Mar 8, 2020, at 1:18 PM, Lynch, Garrett (USANYS) [Contractor]  
<[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)> wrote:

In my office. Grab me whenever.

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**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
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**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier

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wrote:

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What do you think about proposing a phone call on this and the defense witnesses?

Sent from my iPhone

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Sent from my iPhone

On Mar 8, 2020, at 12:16 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Wtf.

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**From:** Silverman, Nicholas

<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Sent:** Sunday, March 08, 2020  
12:15 PM

**To:** Kim, Jane (USANYS) 4

<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse,  
Michael (USANYS)

<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lake,  
Stephanie (USANYS)

<[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; 'Garrett  
Lynch' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>

**Cc:** Bishop, Bruce

<[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale,  
David <[DFragale@steptoe.com](mailto:DFragale@steptoe.com)>;

Heberlig, Brian

<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;

Weingarten, Reid

<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>

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Requested by 2:00 p.m. or Earlier

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is a June 2011 letter  
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transaction involving  
Stratus International  
Contracting Company.  
You saw that evidence  
this morning instead of  
earlier in trial because  
the government failed to  
turn it over before trial  
as required by law. The  
defendant learned of that  
evidence on Saturday  
afternoon when the  
government disclosed it.

**Nicholas P. Silverman**

Associate

[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

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+1 617     Washington, DC 20036  
595 6559   [www.step toe.com](http://www.step toe.com)  
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429 3902  
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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 37

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Kim, Jane \(USANYS\) 4](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:29:07 PM

---

I'm fine with that.

Sent from my iPhone

On Mar 8, 2020, at 1:19 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Emil thinks we should say we're not offering. Then if they actually want it in themselves / can articulate some real Brady theory, we'll have to deal with it. Apparently Crotty gave a similar instruction in Shulte....

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In my office. Grab me whenever.

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**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
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**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
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**Sent:** Sunday, March 8, 2020 12:53 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
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Sent from my iPhone

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Wtf.

---

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Nicholas  
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**Sent:** Sunday, March  
08, 2020 12:15 PM  
**To:** Kim, Jane  
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(USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>;  
Lake, Stephanie  
(USANYS)  
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'Garrett Lynch'  
<[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Bishop, Bruce  
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Heberlig, Brian

<[B.Heberlig@steptoe.com](mailto:B.Heberlig@steptoe.com)>;

Weingarten, Reid

<[R.Weingarten@steptoe.com](mailto:R.Weingarten@steptoe.com)>

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Response Requested

by 2:00 p.m. or

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 38



**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Kim, Jane \(USANYS\) 4](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 1:35:55 PM

---

I'm focusing on slides and pulling from the transcript this afternoon. If you guys have any suggestions about evidence or arguments that I'm missing, please send. Trains were messed up, so walking from Fulton now.

Sent from my iPhone

On Mar 8, 2020, at 1:19 PM, Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)> wrote:

Emil thinks we should say we're not offering. Then if they actually want it in themselves / can articulate some real Brady theory, we'll have to deal with it. Apparently Crotty gave a similar instruction in Shulte....

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'Garrett Lynch'

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**Nicholas P. Silverman**

Associate

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 39

**From:** [Silverman, Nicholas](#)  
**To:** [Kim, Jane \(USANYS\) 4](#); [Heberlig, Brian](#); [Lake, Stephanie \(USANYS\)](#); [Weingarten, Reid](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Milione, Shawn \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: U.S. v. Sadr  
**Date:** Sunday, March 8, 2020 1:37:43 PM  
**Attachments:** [092-1 2019-02-25 Pretrial Mem 6 - Exhibit A-c2.pdf](#)

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Counsel:

1. Are there any other documents in the government's possession that have not been produced?
2. Is there any other *Brady* information in the government's possession that has not been produced?
3. Is there any information in the government's possession, custody, or control showing OFAC's response to this letter? This is subject to production under *Giglio* and/or *Napue* because it would at a minimum undermine Ted Kim's testimony (A) that to his knowledge, nothing relating to this matter was investigated by OFAC, (B) that "it matters a lot" if Iranian involvement in a transaction is concealed, and (C) that hiding "Iranian connections ... would make it very difficult for me to do my job."
4. As we have said, our requests for *Brady* and *Giglio* are continuing in nature. I have attached our September 2018 letter in case you want a non-exclusive list of examples of the type of information covered by *Brady* and *Giglio* in this case. Obviously, any information contrary to government witness testimony would be another example.
5. Regarding the authenticity of GX 411, we stipulate to authenticity.
6. GX 704 – Please let us know what modifications have been made.
7. GX 495A, 495B – What is the relevance of Sadr having bank accounts at HSBX from January 2010 through October 2013?
8. GX 456 – We are reviewing and anticipate stipulating to authenticity.
9. GX 705A & 705B – We are reviewing.
10. GX 2304A – Subject to our continuing objection (which we understand to have been overruled), no further objection.

**Nicholas P. Silverman**  
Associate  
[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

**Step toe**

+1 202 429 8096 direct      Step toe & Johnson LLP  
+1 617 595 6559 mobile      1330 Connecticut Avenue, NW  
+1 202 429 3902 fax      Washington, DC 20036  
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Brian, Reid, and Nick:

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Thanks,  
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**Subject:** RE: U.S. v. Sadr

Brian,

We do not agree with your characterization of GX 430, 431, 432, or 411 as *Brady*. These are all exhibits the Government has introduced or is seeking to introduce in our case. Perhaps you can explain how it is you think GX 411 is helpful to your case.

In any event, we have been aware of the letter since mid-January. We thought it was part of the Commerzbank subpoena return that was produced in discovery. We now understand that it came from an unrelated DANY investigation, and therefore was not in the Commerzbank subpoena return.

It is not clear to us how this document would have been relevant to the OFAC witness's testimony.

Jane

---

**From:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>

**Sent:** Saturday, March 7, 2020 4:57 PM

**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

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**Subject:** RE: U.S. v. Sadr

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**From:** Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>

**Sent:** Saturday, March 7, 2020 4:24 PM

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**Cc:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>; Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>

**Subject:** RE: U.S. v. Sadr



Counsel,

We attempted to send you a number of attachments, which will not go through without encryption. It looks like Steptoe's servers are blocking the encrypted email. Shawn will upload the files to the link he has been using. The descriptions are below.

Stephanie

---

**From:** Lake, Stephanie (USANYS)  
**Sent:** Saturday, March 07, 2020 4:04 PM  
**To:** Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione, Shawn (USANYS) [Contractor] <[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** U.S. v. Sadr

Counsel,

Mr. Dubowitz is still very ill. As a result, we do not intend to call him as a witness in our case-in-chief. It's possible that, depending on the defense case, we will call him as a rebuttal witness.

In addition, we've attached the following documents:

- Updated GX 2284D – there were formatting problems with our version. We think the attached corrects them.
- 3508-08 – 3500 from today
- GX 411 – we intend to offer this on Monday. Let us know if you will stipulate to authenticity.
- GX 456 – we intend to offer this on Monday. Let us know if you will stipulate to authenticity.
- GX 495A & B – we intend to offer these on Monday (likely in redacted form), although think a stipulation that the defendant had bank accounts at HSBC from January 2010 through October 2013 might be simpler. Let us know how you prefer to proceed.
- GX 704 – this is the modified version of the travel chart. Please confirm whether you have any remaining concerns.
- GX 705A & B – these are summary charts reflecting the information in GX 2090A. Please confirm whether you have any objections.
- Updated GX 2304A – we enlarged some of the cells, as the formatting of the PDFd excel file was cutting off some of the data. The content is the same.
- 3504-10 – Peri 3500, which was provided in hard copy yesterday morning.
- 3505-06 – Blair 3500, which was provided in hard copy yesterday morning.
- 3513-02 – Paralegal 3500 for summary chart (you may already have this)
- 3513-03 – Paralegal 3500 for summary chart (you may already have this)

We are still working on one additional summary chart, which we expect to provide later today.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 40

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Silverman, Nicholas](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Heberlig, Brian](#); [Lake, Stephanie \(USANYS\)](#); [Weingarten, Reid](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Milione, Shawn \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: U.S. v. Sadr  
**Date:** Sunday, March 8, 2020 1:50:58 PM

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Are you available to have a quick call about these points? We also think it makes sense to confer about tomorrow. Depending on who the defense plans to call in its case-in-chief, we may want to flag some potential areas of cross that you may have an objection to. But it probably doesn't make sense for us to file now if you're not going to call those witnesses.

Sent from my iPhone

On Mar 8, 2020, at 1:37 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel:

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2. Is there any other *Brady* information in the government's possession that has not been produced?
3. Is there any information in the government's possession, custody, or control showing OFAC's response to this letter? This is subject to production under *Giglio* and/or *Napue* because it would at a minimum undermine Ted Kim's testimony (A) that to his knowledge, nothing relating to this matter was investigated by OFAC, (B) that "it matters a lot" if Iranian involvement in a transaction is concealed, and (C) that hiding "Iranian connections ... would make it very difficult for me to do my job."
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## Step toe

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Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

<092-1 2019-02-25 Pretrial Mem 6 - Exhibit A-c2.pdf>



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 41

**From:** [Silverman, Nicholas](#)  
**To:** [Kim, Jane \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Garrett Lynch](#)  
**Cc:** [Bishop, Bruce](#); [Fragale, David](#); [Heberlig, Brian](#); [Weingarten, Reid](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 2:02:06 PM

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Counsel,

Do you consent to the proposed instruction? We will file at 2:15 p.m. if we have not heard from you.

On Mar 8, 2020, at 12:14 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel:

We intend to request the following curative instruction from the Court. Please inform us by 2:00 p.m. (or earlier) whether you consent to the instruction:

Government Exhibit 411 is a June 2011 letter regarding an April 2011 transaction involving Stratus International Contracting Company. You saw that evidence this morning instead of earlier in trial because the government failed to turn it over before trial as required by law. The defendant learned of that evidence on Saturday afternoon when the government disclosed it.

**Nicholas P. Silverman**  
Associate  
[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

**Steptoe**

+1 202 429 8096 direct	Steptoe & Johnson LLP
+1 617 595 6559 mobile	1330 Connecticut Avenue, NW
+1 202 429 3902 fax	Washington, DC 20036
	<a href="http://www.steptoe.com">http://www.steptoe.com</a>

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 42

**From:** [Heberlig, Brian](#)  
**To:** [Krouse, Michael \(USANYS\)](#)  
**Cc:** [Silverman, Nicholas](#); [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#); [Weingarten, Reid](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Milione, Shawn \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: U.S. v. Sadr  
**Date:** Sunday, March 8, 2020 2:03:18 PM

---

We can speak at 2:30 if that works.

Brian M. Heberlig  
Steptoe & Johnson LLP  
Direct: (202) 429-8134  
Mobile: (202) 368-7855  
[www.step toe.com/bheberlig](http://www.step toe.com/bheberlig)

Sent from my iPhone

On Mar 8, 2020, at 1:51 PM, Krouse, Michael (USANYS)  
<[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)> wrote:

Are you available to have a quick call about these points? We also think it makes sense to confer about tomorrow. Depending on who the defense plans to call in its case-in-chief, we may want to flag some potential areas of cross that you may have an objection to. But it probably doesn't make sense for us to file now if you're not going to call those witnesses.

Sent from my iPhone

On Mar 8, 2020, at 1:37 PM, Silverman, Nicholas <[nsilverman@step toe.com](mailto:nsilverman@step toe.com)>  
wrote:

Counsel:

1. Are there any other documents in the government's possession that have not been produced?
2. Is there any other *Brady* information in the government's possession that has not been produced?
3. Is there any information in the government's possession, custody, or control showing OFAC's response to this letter?  
This is subject to production under *Giglio* and/or *Napue* because it would at a minimum undermine Ted Kim's testimony (A) that to his knowledge, nothing relating to this matter was investigated by OFAC, (B) that "it matters a lot" if Iranian involvement in a transaction is concealed, and (C) that hiding "Iranian connections ... would make it very difficult for

me to do my job.”

4. As we have said, our requests for *Brady* and *Giglio* are continuing in nature. I have attached our September 2018 letter in case you want a non-exclusive list of examples of the type of information covered by *Brady* and *Giglio* in this case. Obviously, any information contrary to government witness testimony would be another example.
5. Regarding the authenticity of GX 411, we stipulate to authenticity.
6. GX 704 – Please let us know what modifications have been made.
7. GX 495A, 495B – What is the relevance of Sadr having bank accounts at HSBX from January 2010 through October 2013?
8. GX 456 – We are reviewing and anticipate stipulating to authenticity.
9. GX 705A & 705B – We are reviewing.
10. GX 2304A – Subject to our continuing objection (which we understand to have been overruled), no further objection.

**Nicholas P. Silverman**

Associate

[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

**Step toe**

+1 202 429 8096 direct    Step toe & Johnson LLP  
+1 617 595 6559 mobile    1330 Connecticut Avenue, NW  
+1 202 429 3902 fax        Washington, DC 20036  
<http://www.step toe.com>

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---

**From:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>

**Sent:** Sunday, March 8, 2020 9:41 AM

**To:** Heberlig, Brian <[BHeberlig@step toe.com](mailto:BHeberlig@step toe.com)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Weingarten, Reid <[RWeingarten@step toe.com](mailto:RWeingarten@step toe.com)>; Silverman, Nicholas <[nsilverman@step toe.com](mailto:nsilverman@step toe.com)>

**Cc:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>

**Subject:** RE: U.S. v. Sadr

Brian, Reid, and Nick:

As I explained in my last email, when we first saw the document in mid-January, we thought it had been part of Commerzbank's subpoena return and had been produced. We didn't think it would be necessary to use given our other evidence about that payment. Given some of the arguments you made on Friday, we decided that we did want to introduce it at trial.

Again, we don't see this document as exculpatory, as we would like to offer it tomorrow. Can you please let us know your position on an authenticity stipulation for this document and the other bank records we sent yesterday, as well as whether you have any issues with the summary charts?

Thanks,  
Jane

---

**From:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>  
**Sent:** Saturday, March 7, 2020 10:09 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione, Shawn (USANYS) [Contractor] <[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** RE: U.S. v. Sadr

If you have been aware of the letter since mid-January, why wasn't it on the government's pretrial exhibit list instead of appearing the day before the government rests its case? The exculpatory nature of the exhibit is self-evident.

---

**From:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>  
**Sent:** Saturday, March 7, 2020 5:36 PM  
**To:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>; Lynch,

Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>

**Subject:** RE: U.S. v. Sadr

Brian,

We do not agree with your characterization of GX 430, 431, 432, or 411 as *Brady*. These are all exhibits the Government has introduced or is seeking to introduce in our case. Perhaps you can explain how it is you think GX 411 is helpful to your case.

In any event, we have been aware of the letter since mid-January. We thought it was part of the Commerzbank subpoena return that was produced in discovery. We now understand that it came from an unrelated DANY investigation, and therefore was not in the Commerzbank subpoena return.

It is not clear to us how this document would have been relevant to the OFAC witness's testimony.

Jane

---

**From:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>

**Sent:** Saturday, March 7, 2020 4:57 PM

**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione, Shawn (USANYS) [Contractor] <[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>

**Subject:** RE: U.S. v. Sadr

We request immediate disclosure of (1) where GX411 came from, (2) how long it has been in the government's possession, (3) why we are only receiving it today. This is the second episode—along with GX430, GX431, and GX432—of the government producing fundamentally exculpatory documents mid-trial. In this instance, the document was produced after the government's OFAC witness, who would have been subject to cross-examination on this document. Provide this information

by 6 pm or we will see the intervention of the Court.

---

**From:** Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>  
**Sent:** Saturday, March 7, 2020 4:24 PM  
**To:** Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>; Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>  
**Subject:** RE: U.S. v. Sadr

Counsel,

We attempted to send you a number of attachments, which will not go through without encryption. It looks like Steptoe's servers are blocking the encrypted email. Shawn will upload the files to the link he has been using. The descriptions are below.

Stephanie

---

**From:** Lake, Stephanie (USANYS)  
**Sent:** Saturday, March 07, 2020 4:04 PM  
**To:** Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione, Shawn (USANYS) [Contractor] <[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** U.S. v. Sadr

Counsel,

Mr. Dubowitz is still very ill. As a result, we do not intend to call him as a witness in our case-in-chief. It's possible that, depending on the defense case, we will call him as a rebuttal witness.

In addition, we've attached the following documents:

- Updated GX 2284D – there were formatting problems with our version. We think the attached corrects them.
- 3508-08 – 3500 from today



- GX 411 – we intend to offer this on Monday. Let us know if you will stipulate to authenticity.
- GX 456 – we intend to offer this on Monday. Let us know if you will stipulate to authenticity.
- GX 495A & B – we intend to offer these on Monday (likely in redacted form), although think a stipulation that the defendant had bank accounts at HSBC from January 2010 through October 2013 might be simpler. Let us know how you prefer to proceed.
- GX 704 – this is the modified version of the travel chart. Please confirm whether you have any remaining concerns.
- GX 705A & B – these are summary charts reflecting the information in GX 2090A. Please confirm whether you have any objections.
- Updated GX 2304A – we enlarged some of the cells, as the formatting of the PDFd excel file was cutting off some of the data. The content is the same.
- 3504-10 – Peri 3500, which was provided in hard copy yesterday morning.
- 3505-06 – Blair 3500, which was provided in hard copy yesterday morning.
- 3513-02 – Paralegal 3500 for summary chart (you may already have this)
- 3513-03 – Paralegal 3500 for summary chart (you may already have this)

We are still working on one additional summary chart, which we expect to provide later today.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

<092-1 2019-02-25 Pretrial Mem 6 - Exhibit A-c2.pdf>

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 43

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Silverman, Nicholas](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#); [Garrett Lynch](#); [Bishop, Bruce](#); [Fragale, David](#); [Heberlig, Brian](#); [Weingarten, Reid](#)  
**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 2:04:31 PM

---

I wrote in response to your other email to see if the defense side wanted to have a call to discuss various topics before filing more motions. I just saw Brian respond and suggest 2:30. That works for us. Can you hold off filing until after we speak?

Sent from my iPhone

On Mar 8, 2020, at 2:02 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel,

Do you consent to the proposed instruction? We will file at 2:15 p.m. if we have not heard from you.

On Mar 8, 2020, at 12:14 PM, Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel:

We intend to request the following curative instruction from the Court. Please inform us by 2:00 p.m. (or earlier) whether you consent to the instruction:

Government Exhibit 411 is a June 2011 letter regarding an April 2011 transaction involving Stratus International Contracting Company. You saw that evidence this morning instead of earlier in trial because the government failed to turn it over before trial as required by law. The defendant learned of that evidence on Saturday afternoon when the government disclosed it.

**Nicholas P. Silverman**  
Associate  
[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

**Steptoe**

+1 202 429 8096 direct    Steptoe & Johnson LLP  
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<http://www.step toe.com>

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 44

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Silverman, Nicholas](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#); [Garrett Lynch](#); [Bishop, Bruce](#); [Fragale, David](#); [Heberlig, Brian](#); [Weingarten, Reid](#)  
**Subject:** RE: GX 411 - Response Requested by 2:00 p.m. or Earlier  
**Date:** Sunday, March 8, 2020 2:06:00 PM

---

No worries. Thanks.

---

**From:** Silverman, Nicholas <nsilverman@steptoe.com>  
**Sent:** Sunday, March 8, 2020 2:06 PM  
**To:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Cc:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Garrett Lynch <LynchG@dany.nyc.gov>; Bishop, Bruce <BBishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>; Heberlig, Brian <BHeberlig@steptoe.com>; Weingarten, Reid <RWeingarten@steptoe.com>  
**Subject:** RE: GX 411 - Response Requested by 2:00 p.m. or Earlier

I apologize. My email crossed with Brian's. We will not file anything on this until after the 2:30 call.

Nick

**Nicholas P. Silverman**  
Associate  
[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

**Step toe**

+1 202 429 8096 direct	Step toe & Johnson LLP
+1 617 595 6559 mobile	1330 Connecticut Avenue, NW
+1 202 429 3902 fax	Washington, DC 20036
	<a href="http://www.step toe.com">www.step toe.com</a>

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---

**From:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Sent:** Sunday, March 8, 2020 2:04 PM  
**To:** Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Bishop, Bruce <[BBishop@steptoe.com](mailto:BBishop@steptoe.com)>; Fragale, David <[DFragale@steptoe.com](mailto:DFragale@steptoe.com)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>

**Subject:** Re: GX 411 - Response Requested by 2:00 p.m. or Earlier

I wrote in response to your other email to see if the defense side wanted to have a call to discuss various topics before filing more motions. I just saw Brian respond and suggest 2:30. That works for us. Can you hold off filing until after we speak?

Sent from my iPhone

On Mar 8, 2020, at 2:02 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel,

Do you consent to the proposed instruction? We will file at 2:15 p.m. if we have not heard from you.

On Mar 8, 2020, at 12:14 PM, Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel:

We intend to request the following curative instruction from the Court. Please inform us by 2:00 p.m. (or earlier) whether you consent to the instruction:

Government Exhibit 411 is a June 2011 letter regarding an April 2011 transaction involving Stratus International Contracting Company. You saw that evidence this morning instead of earlier in trial because the government failed to turn it over before trial as required by law. The defendant learned of that evidence on Saturday afternoon when the government disclosed it.

**Nicholas P. Silverman**  
Associate  
[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

**Steptoe**

+1 202 429 8096 direct    Steptoe & Johnson LLP  
+1 617 595 6559 mobile    1330 Connecticut Avenue, NW  
+1 202 429 3902 fax        Washington, DC 20036  
<http://www.steptoe.com>

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 45

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Silverman, Nicholas](#)  
**Cc:** [Heberlig, Brian](#); [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Weingarten, Reid](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#); [Milione, Shawn \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: U.S. v. Sadr  
**Date:** Sunday, March 8, 2020 3:05:59 PM

---

347-920-1412.

On Mar 8, 2020, at 3:04 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

What number are you at?

---

**From:** Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>  
**Sent:** Sunday, March 8, 2020 3:03 PM  
**To:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>  
**Subject:** Re: U.S. v. Sadr

Sorry, we had one more issue to raise if you're available.

On Mar 8, 2020, at 2:32 PM, Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)> wrote:

Standing by

---

**From:** Heberlig, Brian  
**Sent:** Sunday, March 8, 2020 2:26 PM  
**To:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Cc:** Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>  
**Subject:** RE: U.S. v. Sadr

212-378-7616

---

**From:** Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Sent:** Sunday, March 8, 2020 2:05 PM  
**To:** Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>  
**Cc:** Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Milione, Shawn (USANYS) [Contractor] <[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>  
**Subject:** Re: U.S. v. Sadr

That works for us. Is there a number we should call?

Sent from my iPhone

On Mar 8, 2020, at 2:03 PM, Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)> wrote:

We can speak at 2:30 if that works.

Brian M. Heberlig  
Steptoe & Johnson LLP  
Direct: (202) 429-8134  
Mobile: (202) 368-7855  
[www.steptoel.com/bheberlig](http://www.steptoel.com/bheberlig)

Sent from my iPhone

On Mar 8, 2020, at 1:51 PM, Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)> wrote:

Are you available to have a quick call about these points? We also think it makes sense to confer about tomorrow. Depending on who the defense plans to call in its case-in-chief, we may want to flag some potential areas of cross that you may have an objection to. But it probably doesn't make sense for us to file now if you're not going to call those witnesses.

Sent from my iPhone

On Mar 8, 2020, at 1:37 PM, Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)> wrote:

Counsel:

1. Are there any other documents in the government's possession that have not been produced?
2. Is there any other *Brady* information in the government's possession that has not been produced?
3. Is there any information in the government's possession, custody, or control showing OFAC's response to this letter?  
This is subject to production under *Giglio* and/or *Napue* because it would at a minimum undermine Ted Kim's testimony (A) that to his knowledge, nothing relating to this matter was investigated by OFAC, (B) that "it matters a lot" if Iranian involvement in a transaction is concealed, and (C) that hiding "Iranian connections ... would make it very difficult for me to do my job."
4. As we have said, our requests for *Brady* and *Giglio* are continuing in nature. I have attached our September 2018 letter in case you want a non-exclusive list of examples of the type of information

covered by *Brady* and  
*Giglio* in this case.

Obviously, any  
information contrary to  
government witness  
testimony would be  
another example.

5. Regarding the  
authenticity of GX 411,  
we stipulate to  
authenticity.
6. GX 704 – Please let us  
know what modifications  
have been made.
7. GX 495A, 495B – What  
is the relevance of Sadr  
having bank accounts at  
HSBX from January 2010  
through October 2013?
8. GX 456 – We are  
reviewing and anticipate  
stipulating to authenticity.
9. GX 705A & 705B – We  
are reviewing.
10. GX 2304A – Subject to  
our continuing objection  
(which we understand to  
have been overruled), no  
further objection.

**Nicholas P. Silverman**

Associate

[nsilverman@step toe.com](mailto:nsilverman@step toe.com)

**Step toe**

+1 202 Step toe & Johnson LLP  
429 8096 1330 Connecticut Avenue,  
direct NW  
+1 617 Washington, DC 20036  
595 6559 <http://www.step toe.com>  
mobile  
+1 202  
429 3902  
fax

This message and any attached  
documents contain information from the

law firm Steptoe & Johnson LLP that may be confidential and/or privileged. If you are not the intended recipient, please do not read, copy, distribute, or use this information. If you have received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

---

**From:** Kim, Jane (USANYS) 4

<[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>

**Sent:** Sunday, March 8, 2020 9:41 AM

**To:** Heberlig, Brian

<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Lake, Stephanie (USANYS)

<[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>;

Weingarten, Reid

<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>;

Silverman, Nicholas

<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Cc:** Krouse, Michael (USANYS)

<[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>;

Lynch, Garrett (USANYS)

[Contractor]

<[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>;

Milione, Shawn (USANYS)

[Contractor]

<[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>

**Subject:** RE: U.S. v. Sadr

Brian, Reid, and Nick:

As I explained in my last email, when we first saw the document in mid-January, we thought it had been part of Commerzbank's subpoena return and had been produced. We didn't think it would be necessary to use given our other evidence about that payment. Given some of the arguments you made on Friday, we decided that we did want to introduce it at trial.

Again, we don't see this

document as exculpatory, as we would like to offer it tomorrow. Can you please let us know your position on an authenticity stipulation for this document and the other bank records we sent yesterday, as well as whether you have any issues with the summary charts?

Thanks,  
Jane

---

**From:** Heberlig, Brian  
<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>  
**Sent:** Saturday, March 7, 2020  
10:09 PM  
**To:** Kim, Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lake, Stephanie (USANYS)  
<[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor]  
<[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione, Shawn (USANYS) [Contractor]  
<[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** RE: U.S. v. Sadr

If you have been aware of the letter since mid-January, why wasn't it on the government's pretrial exhibit list instead of appearing the day before the government rests its case? The exculpatory nature of the exhibit is

self-evident.

---

**From:** Kim, Jane (USANYS) 4  
<[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>  
**Sent:** Saturday, March 7, 2020  
5:36 PM  
**To:** Heberlig, Brian  
<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Lake,  
Stephanie (USANYS)  
<[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>;  
Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>;  
Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS)  
<[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>;  
Lynch, Garrett (USANYS)  
[Contractor]  
<[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>;  
Milione, Shawn (USANYS)  
[Contractor]  
<[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>  
**Subject:** RE: U.S. v. Sadr

Brian,

We do not agree with your characterization of GX 430, 431, 432, or 411 as *Brady*. These are all exhibits the Government has introduced or is seeking to introduce in our case. Perhaps you can explain how it is you think GX 411 is helpful to your case.

In any event, we have been aware of the letter since mid-January. We thought it was part of the Commerzbank subpoena return that was produced in discovery. We now understand that it came from an unrelated DANY investigation, and therefore was not in the Commerzbank



subpoena return.

It is not clear to us how this document would have been relevant to the OFAC witness's testimony.

Jane

---

**From:** Heberlig, Brian  
<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>  
**Sent:** Saturday, March 7, 2020  
4:57 PM  
**To:** Lake, Stephanie (USANYS)  
<[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>;  
Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>;  
Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim,  
Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch,  
Garrett (USANYS) [Contractor]  
<[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione,  
Shawn (USANYS) [Contractor]  
<[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** RE: U.S. v. Sadr

We request immediate disclosure of (1) where GX411 came from, (2) how long it has been in the government's possession, (3) why we are only receiving it today. This is the second episode—along with GX430, GX431, and GX432—of the government producing fundamentally exculpatory

documents mid-trial. In this instance, the document was produced after the government's OFAC witness, who would have been subject to cross-examination on this document. Provide this information by 6 pm or we will see the intervention of the Court.

---

**From:** Lake, Stephanie (USANYS)  
<[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>

**Sent:** Saturday, March 7, 2020  
4:24 PM

**To:** Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>;  
Heberlig, Brian  
<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;  
Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>

**Cc:** Krouse, Michael (USANYS)  
<[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>;  
Kim, Jane (USANYS) 4  
<[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lynch,  
Garrett (USANYS) [Contractor]  
<[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>;  
Milione, Shawn (USANYS)  
[Contractor]  
<[Shawn.Milione@usdoj.gov](mailto:Shawn.Milione@usdoj.gov)>

**Subject:** RE: U.S. v. Sadr

Counsel,

We attempted to send you a number of attachments, which will not go through without encryption. It looks like Steptoe's servers are blocking the encrypted email. Shawn will

upload the files to the link he has been using. The descriptions are below.

Stephanie

---

**From:** Lake, Stephanie (USANYS)  
**Sent:** Saturday, March 07, 2020  
4:04 PM  
**To:** Weingarten, Reid  
<[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>;  
Heberlig, Brian  
<[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>;  
Silverman, Nicholas  
<[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>  
**Cc:** Krouse, Michael (USANYS)  
<[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim,  
Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch,  
Garrett (USANYS) [Contractor]  
<[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Milione,  
Shawn (USANYS) [Contractor]  
<[SMilione@usa.doj.gov](mailto:SMilione@usa.doj.gov)>  
**Subject:** U.S. v. Sadr

Counsel,

Mr. Dubowitz is still very ill. As a result, we do not intend to call him as a witness in our case-in-chief. It's possible that, depending on the defense case, we will call him as a rebuttal witness.

In addition, we've attached the following documents:

- Updated GX 2284D – there were formatting problems with our version. We think the attached corrects them.
- 3508-08 – 3500 from today
- GX 411 – we intend to offer

this on Monday. Let us know if you will stipulate to authenticity.

- GX 456 – we intend to offer this on Monday. Let us know if you will stipulate to authenticity.
- GX 495A & B – we intend to offer these on Monday (likely in redacted form), although think a stipulation that the defendant had bank accounts at HSBC from January 2010 through October 2013 might be simpler. Let us know how you prefer to proceed.
- GX 704 – this is the modified version of the travel chart. Please confirm whether you have any remaining concerns.
- GX 705A & B – these are summary charts reflecting the information in GX 2090A. Please confirm whether you have any objections.
- Updated GX 2304A – we enlarged some of the cells, as the formatting of the PDFd excel file was cutting off some of the data. The content is the same.
- 3504-10 – Peri 3500, which was provided in hard copy yesterday morning.
- 3505-06 – Blair 3500, which was provided in hard copy yesterday morning.
- 3513-02 – Paralegal 3500 for summary chart (you may already have this)
- 3513-03 – Paralegal 3500 for summary chart (you

may already have this)

We are still working on one additional summary chart, which we expect to provide later today.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

<092-1 2019-02-25 Pretrial Mem  
6 - Exhibit A-c2.pdf>

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 46

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\)](#) 4; [Garrett Lynch](#); [Lynch, Garrett \(USANYS\)](#) [Contractor]  
**Subject:** FW: Activity in Case 1:18-cr-00224-AJN USA v. Nejad Letter Motion  
**Date:** Sunday, March 8, 2020 3:51:00 PM

---

This could have been worse, I think.

**From:** NYSD\_ECF\_Pool@nysd.uscourts.gov <NYSd\_ECF\_Pool@nysd.uscourts.gov>  
**Sent:** Sunday, March 8, 2020 3:20 PM  
**To:** CourtMail@nysd.uscourts.gov  
**Subject:** Activity in Case 1:18-cr-00224-AJN USA v. Nejad Letter Motion

**This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.**

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**U.S. District Court**

**Southern District of New York**

**Notice of Electronic Filing**

The following transaction was entered by Heberlig, Brian on 3/8/2020 at 3:20 PM EDT and filed on 3/8/2020

**Case Name:** USA v. Nejad  
**Case Number:** [1:18-cr-00224-AJN](#)  
**Filer:** Dft No. 1 - Ali Sadr Hashemi Nejad  
**Document Number:** [274](#)

**Docket Text:**

**LETTER MOTION** addressed to Judge Alison J. Nathan from Brian M. Heberlig dated March 8, 2020 re: Curative Instruction re GX 411 . Document filed by Ali Sadr Hashemi Nejad. (Attachments: # (1) Exhibit A - GX 411, # (2) Exhibit B - Transcript of Curative Instruction)(Heberlig, Brian)

**1:18-cr-00224-AJN-1 Notice has been electronically mailed to:**

Andrew James DeFilippis [andrew.defilippis@usdoj.gov](mailto:andrew.defilippis@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov), [USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Brian Matthew Heberlig [bheberlig@steptoe.com](mailto:bheberlig@steptoe.com), [bhamerschlag@steptoe.com](mailto:bhamerschlag@steptoe.com), [Mwielkop@steptoe.com](mailto:Mwielkop@steptoe.com), [nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

Bruce C. Bishop [bbishop@steptoe.com](mailto:bbishop@steptoe.com)

David Matthew Fragale [dfragale@steptoe.com](mailto:dfragale@steptoe.com)

David William Denton, Jr [david.denton@usdoj.gov](mailto:david.denton@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov),  
[USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Jane Kim [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov), [USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Matthew Joseph Laroche [matthew.laroche@usdoj.gov](mailto:matthew.laroche@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov),  
[USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Michael Kim Krouse [michael.krouse@usdoj.gov](mailto:michael.krouse@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov),  
[USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Michelle Lynn Levin [mlevin@steptoe.com](mailto:mlevin@steptoe.com), [chartman@steptoe.com](mailto:chartman@steptoe.com), [ocorn@steptoe.com](mailto:ocorn@steptoe.com),  
[spu@steptoe.com](mailto:spu@steptoe.com)

Nicholas Paul Silverman [nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)

Rebekah Allen Donaleski [Rebekah.Donaleski@usdoj.gov](mailto:Rebekah.Donaleski@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov),  
[USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

Reid Weingarten [rweingarten@steptoe.com](mailto:rweingarten@steptoe.com)

Stephanie Lindsay Lake [stephanie.lake@usdoj.gov](mailto:stephanie.lake@usdoj.gov), [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov),  
[USANYS.ECF@USDOJ.GOV](mailto:USANYS.ECF@USDOJ.GOV)

**1:18-cr-00224-AJN-1 Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1008691343 [Date=3/8/2020] [FileNumber=23689567-0]  
] [4bcab8d6e997ff1e6849482727f914bc3d85dd9d8edf8ecb49c3f7217cefeb7c7af  
8cd1238af5cfa19056c8618d17454222a420a3cd0cc909f049aaf91d78d15]]

**Document description:**Exhibit A - GX 411

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1008691343 [Date=3/8/2020] [FileNumber=23689567-1]  
] [3d6df087e158911cef9c44f9ca5baaa38df82f89da28f73abc12f8758c3ad5f0b57  
94476e79bdaf40d2ead63a149cf19f4bf79939288fde4c11e4c8338a95462]]

**Document description:**Exhibit B - Transcript of Curative Instruction

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1008691343 [Date=3/8/2020] [FileNumber=23689567-2]  
] [8042b8d1bf6f842028d3363912338739015f72456ba87b3d4cd7331e9df8d09ce47  
6941d511d21705ecc9f2defe8e13b670a5b28df85c794deb65bfe8ad6c7a5]]





Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 47

**From:** [Krouse, Michael \(USANY\)](#)  
**To:** [Crowley, Shawn \(USANY\)](#); [Emil J. Bove \(Emil.Bove@usdoj.gov\)](#); [Lake, Stephanie \(USANY\)](#); [Kim, Jane \(USANY\) 4](#); [Garrett Lynch](#); [Lynch, Garrett \(USANY\) \[Contractor\]](#)  
**Subject:** Defense letter re curative instruction  
**Date:** Sunday, March 8, 2020 4:03:00 PM  
**Attachments:** [Defense letter re curative instruction \(March 8, 2020\).pdf](#)

---

This is what they filed.

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 48

**From:** [Crowley, Shawn \(USANYS\)](#)  
**To:** [Krouse, Michael \(USANYS\)](#); [Bove, Emil \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Garrett Lynch](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Defense letter re curative instruction  
**Date:** Sunday, March 8, 2020 4:04:30 PM

---

Thanks. Can you send us the document itself?

---

**From:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Sent:** Sunday, March 08, 2020 4:04 PM  
**To:** Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>; Bove, Emil (USANYS) <EBove@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Garrett Lynch <LynchG@dany.nyc.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** Defense letter re curative instruction

This is what they filed.

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 49

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Bove, Emil \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Garrett Lynch](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Defense letter re curative instruction  
**Date:** Sunday, March 8, 2020 4:06:00 PM  
**Attachments:** [GX 411.pdf](#)

---

---

**From:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:04 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense letter re curative instruction

Thanks. Can you send us the document itself?

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 4:04 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Defense letter re curative instruction

This is what they filed.

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 50



**From:** [Bove, Emil \(USANYS\)](#)  
**To:** [Krouse, Michael \(USANYS\)](#); [Crowley, Shawn \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)  
**Subject:** RE: Defense letter re curative instruction  
**Date:** Sunday, March 8, 2020 4:16:13 PM

---

Thanks. I dropped Garrett from this. Can we please have the full thread with the January transmittal email + attachment?

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:07 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense letter re curative instruction

---

**From:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:04 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense letter re curative instruction

Thanks. Can you send us the document itself?

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 4:04 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Garrett Lynch <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Defense letter re curative instruction

This is what they filed.

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 51

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Bove, Emil \(USANYS\)](#); [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\)](#) 4  
**Subject:** FW: Sadr - wire transfers  
**Date:** Sunday, March 8, 2020 4:20:03 PM  
**Attachments:** [Commerz OFAC disclosure.pdf](#)

---

This is the chain. None of us responded. I briefly discussed it with Garrett.

---

**From:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Sent:** Friday, January 10, 2020 4:52 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Subject:** RE: Sadr - wire transfers

In the spirit of closing the loop on the \$29M payment through Commerz, attached is the voluntary disclosure Commerze made to OFAC re: the payment.

---

**From:** Lake, Stephanie (USANYS) [<mailto:Stephanie.Lake@usdoj.gov>]  
**Sent:** Friday, January 10, 2020 3:16 PM  
**To:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** RE: Sadr - wire transfers

Closing the loop on this– I found a document in the material Fuenmayor gave us that discusses the \$29 million transfer through Fondo Chino, and he also mentioned it in the last meeting. I think this should be helpful in tying the wire information we have showing the Fondo Chino transfer to PDVSA. The doc is attached, if anyone cares, but it's also en Espanol (I've requested translation). Pages 14-15.

---

**From:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Sent:** Wednesday, January 08, 2020 12:46 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Subject:** RE: Sadr - wire transfers

The Venezuelans used various state-owned “funds” and banks to fund various government projects, among them BANDES, the economic and social development bank (which, I believe made some early payments (not ours) related to the project), and Fondo Chino (the Chinese-Venezuelan Fund). Fondo Chino (at least ostensibly) was funded by oil sales to and loans from China (I think PDVSA and the government liberally moved money around). I forget exactly why Fondo Chino was used to make the first payment (or if we ever knew for sure) – my guess is that PDVSA, which controlled all oil-related funds (i.e., the Venezuelan purse), had adequate funds in the Fondo Chino account to make the payment from that account. I believe the money came from a Banco del Tesoro account in Venezuela, which had a correspondent relationship with Commerz in Germany. Thereafter, they

used PDVSA accounts at Banco Espirito Santo in Portugal.

---

**From:** Lake, Stephanie (USANYS) [<mailto:Stephanie.Lake@usdoj.gov>]  
**Sent:** Wednesday, January 8, 2020 11:02 AM  
**To:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** RE: Sadr - wire transfers

Found the first one. Thanks. Do you know why it came from "Fondo Chino" / what that is?

That's fine on two. Just wanted to make sure I wasn't missing some other records that would show that information.

Definitely agree on the third point.

Thank you!

---

**From:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Sent:** Wednesday, January 08, 2020 10:04 AM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Cc:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Subject:** RE: Sadr - wire transfers

1. Re: the first payment, there should be a copy of the SWIFT message in the Commerzbank production. In my version of the subpoena compliance production it's a PDF titled "Copy".
2. Re: the identity of the intermediary bank, the bank whose business record the wire transfer is is the intermediary bank, so the witness will be able to state that.
3. Also, for several of the payments, we have additional search warrant documents -- e.g., while we may just have the wire transfer record from the clearing bank, we may also have a SWIFT message attached to an email, or a Hyposwiss record, or some other document which identifies the payment route. When the dust settles on the SW docs, we can reconstruct my old payments binders where I had all of the documents bundled together for each payment (the payment instruction letter, the bank record(s), emails, attachments, etc.). This is what we did for the GJ.

---

**From:** Lake, Stephanie (USANYS) [<mailto:Stephanie.Lake@usdoj.gov>]  
**Sent:** Tuesday, January 7, 2020 6:19 PM  
**To:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>  
**Subject:** FW: Sadr - wire transfers

My original email had three attachments, which had to be sent to you securely. So you should be getting a secure message with instructions on how to access it.

---

**From:** Lake, Stephanie (USANYS)

**Sent:** Tuesday, January 07, 2020 5:37 PM

**To:** Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>

**Subject:** Sadr - wire transfers

See attached a spreadsheet (Payments) showing each transfer and where I found documentation. A few things:

- 1) I didn't find a wire confirmation for the 4/4/2011 \$29 million transfer. I did find reference to it in the CHIPS subpoena returns. It seems to show that it went from "Fondo Chino-Venezolano" to Stratus International Contracting (see attached two spreadsheets that show this). Garrett – do you know if we have a wire confirmation for that transfer?
- 2) I noticed that the wire confirmations don't generally show the U.S. intermediary bank on them. Is there other documentation I'm missing that has this information?

\*All documents are saved here: [\\Usa.doj.gov\\cloud\\NYS\\StAndrews\\Shared\\Iran\\_VEHousing-2017R01160\\###Trial\\Documents\\Payment](\\Usa.doj.gov\\cloud\\NYS\\StAndrews\\Shared\\Iran_VEHousing-2017R01160\\###Trial\\Documents\\Payment) Records and here: [\\Usa.doj.gov\\cloud\\NYS\\StAndrews\\Shared\\Iran\\_VEHousing-2017R01160\\Evidence](\\Usa.doj.gov\\cloud\\NYS\\StAndrews\\Shared\\Iran_VEHousing-2017R01160\\Evidence) [INT]\\Discovery\\#5 - Subpoena Returns\\To Produce.

Also – Garrett, I was thinking that if you don't already have the ability to remotely login to our network, we should have that set up! That way the file paths above wouldn't be useless to you.

Thanks!

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

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return email.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 52

**From:** [Lake, Stephanie \(USANY\)](#)  
**To:** [Bove, Emil \(USANY\)](#); [Crowley, Shawn \(USANY\)](#)  
**Cc:** [Krouse, Michael \(USANY\)](#); [Kim, Jane \(USANY\) 4](#); [Lynch, Garrett \(USANY\) \[Contractor\]](#)  
**Subject:** Defense witness letter  
**Date:** Sunday, March 8, 2020 4:29:29 PM  
**Attachments:** [2020.03.08 Letter to Nathan re defense witness cross.docx](#)

---

We filed the letter on the expert de-risking testimony this morning, but per the chilling conversation w/ Emil last night and the team this morning, did not file the cross portion of the letter. Based on our conversation with defense, who wants us to tee up these issues, we're looking to file the attached under seal. This contains what you looked at last night, plus a section on their character witness.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 53

**From:** [Bove, Emil \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#); [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\)](#) 4; [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Defense witness letter  
**Date:** Sunday, March 8, 2020 4:54:32 PM

---

Can you guys please stop by? We will not chill you.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:34 PM  
**To:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense witness letter

Ha. Shouldn't have used shorthand.

---

**From:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 4:33 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Crowley, Shawn (USANYS)  
<[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense witness letter

I was totally going for helpful rather than chilling, sorry I screwed that up. We're working through the summations, but let's circle up in 15-20 mins to talk strategy.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:29 PM  
**To:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4  
<[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Defense witness letter

We filed the letter on the expert de-risking testimony this morning, but per the chilling conversation w/ Emil last night and the team this morning, did not file the cross portion of the letter. Based on our conversation with defense, who wants us to tee up these issues, we're looking to file the attached under seal. This contains what you looked at last night, plus a section on their character witness.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007

Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 54

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Defense witness letter  
**Date:** Sunday, March 8, 2020 5:19:15 PM

---

I'll circulate a draft shortly.

---

**From:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 4:55 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense witness letter

Can you guys please stop by? We will not chill you.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:34 PM  
**To:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense witness letter

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---

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**Sent:** Sunday, March 08, 2020 4:33 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Defense witness letter

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---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 4:29 PM  
**To:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Defense witness letter

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w/ Emil last night and the team this morning, did not file the cross portion of the letter. Based on our conversation with defense, who wants us to tee up these issues, we're looking to file the attached under seal. This contains what you looked at last night, plus a section on their character witness.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 55

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Kaveh.Miremadi@treasury.gov](#); [MariaHelene.VanWagenberg@treasury.gov](#); [Jacqueline.Brewer@treasury.gov](#)  
**Cc:** [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Time Sensitive Question  
**Date:** Sunday, March 8, 2020 5:58:13 PM  
**Attachments:** [GX 411.pdf](#)

---

Kaveh, Maria, and Jacqui:

I'm attaching a letter dated June 16, 2011, from Commerzbank to OFAC concerning a specific payment. Could you please let us know what actions OFAC took in response to this letter? We need to update the Court on this issue tomorrow morning, so any information would be hugely appreciated.

Thank you in advance,  
Jane

Jane Kim  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, New York 10007  
Phone: (212) 637-2038  
Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 56

**From:** [Crowley, Shawn \(USANYS\)](#)  
**To:** [Krouse, Michael \(USANYS\)](#)  
**Cc:** [Bove, Emil \(USANYS\)](#)  
**Subject:** Sadr closing (7) sgc.docx  
**Date:** Sunday, March 8, 2020 6:05:19 PM  
**Attachments:** [Sadr closing \(7\) sgc.docx](#)

---

Here you go. Nice work on this. Happy to discuss any of the comments—I think we should be addressing defense arguments throughout, not at the end where they get buried in the charges. This is our best response to Reid’s opening and we should make it very early on:

Finally, the defense may *try* to argue that these payments were not to Iran. But you can’t get around U.S. sanctions just by setting up front companies in Switzerland and Turkey—just by pretending the money is actually going to Switzerland and Turkey, and not to benefit Iranian people and companies. It’s not that easy. I expect the defense may try to argue that money wasn’t traced all the way back to Iran—but that was by design—you saw the complex financial scheming that Ali Sadr engaged in. And besides, that’s not the law. The law doesn’t require proving the money actually physically traveled into Iran. I expect the Judge will tell you that the Government only has to prove (**slide**) that the financial service—the money—was **on behalf of a person in Iran, or that the benefit of the money was received in Iran.**

And no question—the Government has proven *that* beyond a reasonable doubt. You know from the evidence that *all* that money that flowed into Ali Sadr’s Swiss bank accounts was **on behalf of** people and entities in Iran, and that the money **benefited** people and entities in Iran. Those \$115 million in payments—where did they come from? They were payments for an ***Iranian*** project run by an ***Iranian*** company owned by an ***Iranian*** person. Clarity and Stratus Turkey—they were just front companies to hide that fact. And Mohammad Sadr himself recognized that. Look at **GX 2052B**. This report was attached to an email from Cetinel to Mohammad Sadr, copying Ali Sadr, in July 2011. And in that report, Cetinel refers to the second payment for \$20 million, and says that it “has been transferred to the company account.” Meaning the account for IIHC. And you know from **GX 702**, that the \$20 million was deposited into the Clarity account. That account was “the company account.” It was the account for IIHC, it was just incorporated in Switzerland, by Ali Sadr, using a fake passport, so that he and his father could get around U.S. sanctions.

I would also add a slide with the bullets and a brief description on the charges up front. You sort of mention bank fraud and money laundering a few times throughout, but I don’t think it’s obvious to the jury what those charges are until you explain them. You can keep it simple—the first two charges relate to the scheme he set up to evade US sanctions law. Bank fraud relates to how he lied to the banks to get them to process the transactions to continue his scheme. And the money laundering charges relate to what he did with his criminal proceeds in order to hide it from US regulators, etc.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 57

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Bove, Emil \(USANYS\)](#)  
**Subject:** RE: Sadr closing (7) sgc.docx  
**Date:** Sunday, March 8, 2020 6:06:00 PM

---

Thanks!

---

**From:** Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 6:05 PM  
**To:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Cc:** Bove, Emil (USANYS) <EBove@usa.doj.gov>  
**Subject:** Sadr closing (7) sgc.docx

Here you go. Nice work on this. Happy to discuss any of the comments—I think we should be addressing defense arguments throughout, not at the end where they get buried in the charges. This is our best response to Reid’s opening and we should make it very early on:

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laundering charges relate to what he did with his criminal proceeds in order to hide it from US regulators, etc.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 58

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Bove, Emil \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\)](#) 4; [Lynch, Garrett \(USANYS\)](#) [Contractor]  
**Subject:** GX 411 response  
**Date:** Sunday, March 8, 2020 6:25:10 PM  
**Attachments:** [2020.03.08 Letter to Nathan re GX 411.docx](#)

---

I'm sorry – this is not very good. I'm not a fast writer, but didn't want to spend time revising and then have no time for your review.

Stephanie Lake  
Assistant United States Attorney  
Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 59



**From:** [Crowley, Shawn \(USANY\)](#)  
**To:** [Lake, Stephanie \(USANY\)](#); [Krouse, Michael \(USANY\)](#); [Kim, Jane \(USANY\)](#) 4; [Garrett Lynch](#)  
**Cc:** [Bove, Emil \(USANY\)](#)  
**Subject:** 2020.03.08 Letter to Nathan re GX 411 sgc.docx  
**Date:** Sunday, March 8, 2020 6:54:21 PM  
**Attachments:** [2020.03.08 Letter to Nathan re GX 411 sgc.docx](#)

---

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 60

**From:** [Crowley, Shawn \(USANYS\)](#)  
**To:** [Lake, Stephanie \(USANYS\)](#); [Bove, Emil \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: GX 411 response  
**Date:** Sunday, March 8, 2020 7:08:21 PM

---

Sorry, can you guys swing by my office once you've filed this letter? Thank you!

---

**From:** Lake, Stephanie (USANYS) <SLake@usa.doj.gov>  
**Sent:** Sunday, March 08, 2020 6:25 PM  
**To:** Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>; Bove, Emil (USANYS) <EBove@usa.doj.gov>  
**Cc:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Kim, Jane (USANYS) 4  
<JKim4@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** GX 411 response

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Southern District of New York  
One Saint Andrew's Plaza  
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Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 61

**From:** [Bove, Emil \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: GX 411 response  
**Date:** Sunday, March 8, 2020 7:32:11 PM

---

Really sorry to be annoying, but want to make sure we've put down a call and an email to OFAC on this issue – basically to the point in our letter about seeking to confirm their (non)response to the letter.

---

**From:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 7:08 PM  
**To:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: GX 411 response

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**Sent:** Sunday, March 08, 2020 6:25 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
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Tel: (212) 637-1066

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 62

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Bove, Emil \(USANYS\)](#); [Crowley, Shawn \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: GX 411 response  
**Date:** Sunday, March 8, 2020 7:42:41 PM

---

I emailed them. I can call them now.

---

**From:** Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 7:32 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: GX 411 response

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**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: GX 411 response

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**Sent:** Sunday, March 08, 2020 6:25 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** GX 411 response

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Stephanie Lake  
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Southern District of New York  
One Saint Andrew's Plaza  
New York, NY 10007  
Tel: (212) 637-1066





Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 63

**From:** [Bove, Emil \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\)](#) 4  
**Cc:** [Crowley, Shawn \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#); [Lynch, Garrett \(USANYS\)](#)  
[\[Contractor\]](#)  
**Subject:** 2020.03.08 5AM Sadr Rebuttal.EB3.docx  
**Date:** Sunday, March 8, 2020 8:05:19 PM  
**Attachments:** [2020.03.08 5AM Sadr Rebuttal.EB3.docx](#)

---

Thoughts so far on the rebuttal. This is in good shape. I think the key in downtime tomorrow is coming up with modules that focus a bit more on

- The “nanosecond” correspondent banking argument from RW’s opening
- The U-turn revocation
- The argument that what we call “smoke and mirrors” was actually Sadr setting up legitimate companies outside Iran in order to comply with, not evade, the sanctions

Thanks again guys. Long weekend, but you’re in the home stretch and putting in the time to be successful as we close it out. We really appreciate it.

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 64

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Shawn .Milione \(shawn.milione@usdoj.gov\)](#)  
**Subject:** Are you still working on the powerpoint, or can I go into it now?  
**Date:** Sunday, March 8, 2020 8:43:00 PM

---

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 65

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Bove, Emil \(USANYS\)](#); [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Lynch, Garrett](#); [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** FW: Order in 18cr224  
**Date:** Sunday, March 8, 2020 9:15:35 PM  
**Attachments:** [18cr224 Order 3.08.20.pdf](#)

---

---

**From:** Nathan NYSD Chambers <NathanNYSDChambers@nysd.uscourts.gov>

**Sent:** Sunday, March 8, 2020 9:05 PM

**To:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Bbishop\_steptoe.com <Bbishop@steptoe.com>; Fragale, David <DFragale@steptoe.com>; Levin, Michelle <mlevin@steptoe.com>; Silverman, Nicholas <nsilverman@steptoe.com>; Weingarten, Reid <RWeingarten@steptoe.com>; Lynch, Garrett <LynchG@dany.nyc.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>; Heberlig, Brian <BHeberlig@steptoe.com>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>

**Subject:** RE: Order in 18cr224

Counsel,

Attached please find another Order from Judge Nathan that will appear on the docket on Monday. Please confirm receipt.

Sincerely,  
Alyssa O’Gallagher  
Law Clerk to the Hon. Alison J. Nathan

---

**From:** Nathan NYSD Chambers

**Sent:** Sunday, March 8, 2020 5:01 PM

**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](#)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](#)>; Bbishop\_steptoe.com <[Bbishop@steptoe.com](#)>; Fragale, David <[DFragale@steptoe.com](#)>; Levin, Michelle <[mlevin@steptoe.com](#)>; Silverman, Nicholas <[nsilverman@steptoe.com](#)>; Weingarten, Reid <[RWeingarten@steptoe.com](#)>; Lynch, Garrett <[LynchG@dany.nyc.gov](#)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](#)>; Heberlig, Brian <[BHeberlig@steptoe.com](#)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](#)>

**Subject:** RE: Order in 18cr224

Counsel,

Attached please find a third Order from Judge Nathan that will appear on the docket on Monday. Please confirm receipt.

Sincerely,  
Alyssa O’Gallagher

Law Clerk to the Hon. Alison J. Nathan

---

**From:** Nathan NYSD Chambers

**Sent:** Sunday, March 8, 2020 4:04 PM

**To:** 'Kim, Jane (USANYS) 4' <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; 'Lake, Stephanie (USANYS)' <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Bbishop\_steptoe.com <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; 'Fragale, David' <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; 'Levin, Michelle' <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; 'Silverman, Nicholas' <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; 'Weingarten, Reid' <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; 'Lynch, Garrett' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; 'Lynch, Garrett (USANYS) [Contractor]' <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; 'Heberlig, Brian' <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; 'Krouse, Michael (USANYS)' <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>

**Subject:** RE: Order in 18cr224

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Sincerely,

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Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers

**Sent:** Sunday, March 8, 2020 12:48 PM

**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; Bbishop\_steptoe.com <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>

**Subject:** RE: Order in 18cr224

Counsel,

Please confirm receipt of this Order.

Sincerely,

Alyssa O'Gallagher

Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers

**Sent:** Sunday, March 8, 2020 12:41 PM

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 66

**From:** [Bove, Emil \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#)  
**Cc:** [Crowley, Shawn \(USANYS\)](#); [Lynch, Garrett](#); [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: Order in 18cr224  
**Date:** Sunday, March 8, 2020 9:22:11 PM

---

Thanks guys. We're around to turn the draft.

On Mar 8, 2020, at 9:15 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

---

**From:** Nathan NYSD Chambers <[NathanNYSDChambers@nysd.uscourts.gov](mailto:NathanNYSDChambers@nysd.uscourts.gov)>  
**Sent:** Sunday, March 8, 2020 9:05 PM  
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**From:** Nathan NYSD Chambers  
**Sent:** Sunday, March 8, 2020 12:41 PM  
**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop@steptoe.com](mailto:Bbishop@steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[DFragale@steptoe.com](mailto:DFragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** Order in 18cr224

Counsel,

Attached please find an Order from Judge Nathan that will appear on the docket on Monday.

Sincerely,  
Alyssa O’Gallagher  
Law Clerk to the Hon. Alison J. Nathan

<18cr224 Order 3.08.20.pdf>

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 67

**From:** [Lake, Stephanie \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Proofing and then I'll file these objections  
**Date:** Sunday, March 8, 2020 9:30:48 PM  
**Attachments:** [2020.03.08 Letter to Nathan re GX 411 \(2\).docx](#)

---

Here's a shitty draft.

---

**From:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Sent:** Sunday, March 08, 2020 9:15 PM  
**To:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lynch, Garrett <LynchG@dany.nyc.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** Proofing and then I'll file these objections

In 10 minutes unless anyone has objections.

Jane Kim  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, New York 10007  
Phone: (212) 637-2038  
Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 68

**From:** [Crowley, Shawn \(USANYS\)](#)  
**To:** [Bove, Emil \(USANYS\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lynch, Garrett](#); [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** Re: Order in 18cr224  
**Date:** Sunday, March 8, 2020 9:30:55 PM

---

Can you guys forward the transmittal email we sent to them when we produced the doc yesterday? Thanks

On Mar 8, 2020, at 9:22 PM, Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)> wrote:

Thanks guys. We're around to turn the draft.

On Mar 8, 2020, at 9:15 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

---

**From:** Nathan NYSD Chambers  
<[NathanNYSDChambers@nysd.uscourts.gov](mailto:NathanNYSDChambers@nysd.uscourts.gov)>  
**Sent:** Sunday, March 8, 2020 9:05 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[DFragale@steptoe.com](mailto:DFragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Subject:** RE: Order in 18cr224

Counsel,

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Sincerely,  
Alyssa O'Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers  
**Sent:** Sunday, March 8, 2020 5:01 PM  
**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** RE: Order in 18cr224

Counsel,

Attached please find a third Order from Judge Nathan that will appear on the docket on Monday. Please confirm receipt.

Sincerely,  
Alyssa O’Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers  
**Sent:** Sunday, March 8, 2020 4:04 PM  
**To:** 'Kim, Jane (USANYS) 4' <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; 'Lake, Stephanie (USANYS)' <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; 'Fragale, David' <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; 'Levin, Michelle' <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; 'Silverman, Nicholas' <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; 'Weingarten, Reid' <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; 'Lynch, Garrett' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; 'Lynch, Garrett (USANYS) [Contractor]' <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; 'Heberlig, Brian' <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; 'Krouse, Michael (USANYS)' <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** RE: Order in 18cr224

Counsel,

Attached please find another Order from Judge Nathan that will appear on the docket on Monday. Please confirm receipt.

Sincerely,  
Alyssa O’Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers

**Sent:** Sunday, March 8, 2020 12:48 PM

**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop@steptoe.com](mailto:Bbishop@steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>

**Subject:** RE: Order in 18cr224

Counsel,

Please confirm receipt of this Order.

Sincerely,  
Alyssa O'Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers

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**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop@steptoe.com](mailto:Bbishop@steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>

**Subject:** Order in 18cr224

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<18cr224 Order 3.08.20.pdf>



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 69

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Bove, Emil \(USANYS\)](#)  
**Cc:** [Lynch, Garrett](#); [Lake, Stephanie \(USANYS\)](#); [Krouse, Michael \(USANYS\)](#); [Lynch, Garrett \(USANYS\) \[Contractor\]](#)  
**Subject:** RE: Order in 18cr224  
**Date:** Sunday, March 8, 2020 9:41:56 PM  
**Attachments:** [U.S. v. Sadr.msg](#)

---

---

**From:** Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Bove, Emil (USANYS) <EBove@usa.doj.gov>  
**Cc:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Lynch, Garrett <LynchG@dany.nyc.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** Re: Order in 18cr224

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Thanks

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<[NathanNYSDChambers@nysd.uscourts.gov](mailto:NathanNYSDChambers@nysd.uscourts.gov)>  
**Sent:** Sunday, March 8, 2020 9:05 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Subject:** RE: Order in 18cr224

Counsel,

Attached please find another Order from Judge Nathan that will appear on the docket on Monday. Please confirm receipt.

Sincerely,  
Alyssa O'Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers  
**Sent:** Sunday, March 8, 2020 5:01 PM  
**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
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**Sent:** Sunday, March 8, 2020 4:04 PM  
**To:** 'Kim, Jane (USANYS) 4' <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; 'Lake, Stephanie (USANYS)' <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; 'Fragale, David' <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; 'Levin, Michelle' <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; 'Silverman, Nicholas' <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; 'Weingarten, Reid' <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; 'Lynch, Garrett' <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; 'Lynch, Garrett (USANYS) [Contractor]' <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; 'Heberlig, Brian' <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; 'Krouse, Michael (USANYS)' <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
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**Sent:** Sunday, March 8, 2020 12:48 PM  
**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** RE: Order in 18cr224

Counsel,

Please confirm receipt of this Order.

Sincerely,  
Alyssa O’Gallagher  
Law Clerk to the Hon. Alison J. Nathan

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**From:** Nathan NYSD Chambers  
**Sent:** Sunday, March 8, 2020 12:41 PM  
**To:** Kim, Jane (USANYS) 4 <[Jane.Kim@usdoj.gov](mailto:Jane.Kim@usdoj.gov)>; Lake, Stephanie (USANYS) <[Stephanie.Lake@usdoj.gov](mailto:Stephanie.Lake@usdoj.gov)>; [Bbishop\\_steptoe.com](mailto:Bbishop_steptoe.com) <[Bbishop@steptoe.com](mailto:Bbishop@steptoe.com)>; Fragale, David <[Dfragale@steptoe.com](mailto:Dfragale@steptoe.com)>; Levin, Michelle <[mlevin@steptoe.com](mailto:mlevin@steptoe.com)>; Silverman, Nicholas <[nsilverman@steptoe.com](mailto:nsilverman@steptoe.com)>; Weingarten, Reid <[RWeingarten@steptoe.com](mailto:RWeingarten@steptoe.com)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[Garrett.Lynch@usdoj.gov](mailto:Garrett.Lynch@usdoj.gov)>; Heberlig, Brian <[BHeberlig@steptoe.com](mailto:BHeberlig@steptoe.com)>; Krouse, Michael (USANYS) <[Michael.Krouse@usdoj.gov](mailto:Michael.Krouse@usdoj.gov)>  
**Subject:** Order in 18cr224

Counsel,

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Sincerely,  
Alyssa O'Gallagher  
Law Clerk to the Hon. Alison J. Nathan  
<18cr224 Order 3.08.20.pdf>



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 70

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Emil J. Bove \(Emil.Bove@usdoj.gov\)](#)  
**Cc:** [Lake, Stephanie \(USANYS\)](#); [Kim, Jane \(USANYS\) 4](#)  
**Subject:** Draft  
**Date:** Sunday, March 8, 2020 9:49:00 PM  
**Attachments:** [2020.03.08 Letter to Nathan re GX 411 \(2\).docx](#)

---

Not sure Stephanie sent this to you.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Proofing and then I'll file these objections

Here's a shitty draft.

---

**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 9:15 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Proofing and then I'll file these objections

In 10 minutes unless anyone has objections.

Jane Kim  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, New York 10007  
Phone: (212) 637-2038  
Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 71

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#)  
**Subject:** RE: Draft  
**Date:** Sunday, March 8, 2020 10:01:00 PM

---

They called me with some changes. I made them and filed.

---

**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:56 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Subject:** RE: Draft

And really sorry for the quick turnaround – the order said we had to file by 10.

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:50 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Subject:** Draft

Not sure Stephanie sent this to you.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Proofing and then I'll file these objections

Here's a shitty draft.

---

**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 9:15 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Proofing and then I'll file these objections

In 10 minutes unless anyone has objections.

Jane Kim  
Assistant United States Attorney  
Southern District of New York

One St. Andrew's Plaza  
New York, New York 10007  
Phone: (212) 637-2038  
Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 72

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Krouse, Michael \(USANYS\)](#)  
**Subject:** RE: Draft  
**Date:** Sunday, March 8, 2020 10:02:14 PM

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ok

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**From:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 10:01 PM  
**To:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Subject:** RE: Draft

They called me with some changes. I made them and filed.

---

**From:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 9:56 PM  
**To:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>; Bove, Emil (USANYS) <EBove@usa.doj.gov>  
**Cc:** Lake, Stephanie (USANYS) <SLake@usa.doj.gov>  
**Subject:** RE: Draft

And really sorry for the quick turnaround – the order said we had to file by 10.

---

**From:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 9:50 PM  
**To:** Crowley, Shawn (USANYS) <SCrowley@usa.doj.gov>; Bove, Emil (USANYS) <EBove@usa.doj.gov>  
**Cc:** Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Subject:** Draft

Not sure Stephanie sent this to you.

---

**From:** Lake, Stephanie (USANYS) <SLake@usa.doj.gov>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>; Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lynch, Garrett <LynchG@dany.nyc.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>  
**Subject:** RE: Proofing and then I'll file these objections

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**From:** Kim, Jane (USANYS) 4 <JKim4@usa.doj.gov>  
**Sent:** Sunday, March 08, 2020 9:15 PM  
**To:** Krouse, Michael (USANYS) <MKrouse@usa.doj.gov>; Lynch, Garrett <LynchG@dany.nyc.gov>; Lake, Stephanie (USANYS) <SLake@usa.doj.gov>; Lynch, Garrett (USANYS) [Contractor] <GLynch@usa.doj.gov>

**Subject:** Proofing and then I'll file these objections

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Jane Kim  
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Southern District of New York  
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Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)



Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 73

**From:** [Crowley, Shawn \(USANYS\)](#)  
**To:** [Kim, Jane \(USANYS\) 4](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Bove, Emil \(USANYS\)](#); [Lake, Stephanie \(USANYS\)](#)  
**Subject:** Re: Draft  
**Date:** Sunday, March 8, 2020 11:03:03 PM

---

Thanks guys. Can you forward along any reply? Thank you

On Mar 8, 2020, at 9:55 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

And really sorry for the quick turnaround – the order said we had to file by 10.

---

**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:50 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Subject:** Draft

Not sure Stephanie sent this to you.

---

**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Proofing and then I'll file these objections

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**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Sent:** Sunday, March 08, 2020 9:15 PM  
**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** Proofing and then I'll file these objections

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Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 74

**From:** [Kim, Jane \(USANYS\) 4](#)  
**To:** [Crowley, Shawn \(USANYS\)](#)  
**Cc:** [Krouse, Michael \(USANYS\)](#); [Bove, Emil \(USANYS\)](#)  
**Subject:** RE: Draft  
**Date:** Sunday, March 8, 2020 11:15:28 PM  
**Attachments:** [\[279\] Def resp re brady.pdf](#)  
[\[279-1\] Def resp re brady.pdf](#)

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Minus Stephanie (don't want to stress her out/make her feel more sick).

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**From:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 11:03 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Cc:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Subject:** Re: Draft

Thanks guys. Can you forward along any reply? Thank you

On Mar 8, 2020, at 9:55 PM, Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)> wrote:

And really sorry for the quick turnaround – the order said we had to file by 10.

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**From:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:50 PM  
**To:** Crowley, Shawn (USANYS) <[SCrowley@usa.doj.gov](mailto:SCrowley@usa.doj.gov)>; Bove, Emil (USANYS) <[EBove@usa.doj.gov](mailto:EBove@usa.doj.gov)>  
**Cc:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>  
**Subject:** Draft

Not sure Stephanie sent this to you.

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**From:** Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>  
**Sent:** Sunday, March 8, 2020 9:31 PM  
**To:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>; Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>  
**Subject:** RE: Proofing and then I'll file these objections

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**From:** Kim, Jane (USANYS) 4 <[JKim4@usa.doj.gov](mailto:JKim4@usa.doj.gov)>

**Sent:** Sunday, March 08, 2020 9:15 PM

**To:** Krouse, Michael (USANYS) <[MKrouse@usa.doj.gov](mailto:MKrouse@usa.doj.gov)>; Lynch, Garrett <[LynchG@dany.nyc.gov](mailto:LynchG@dany.nyc.gov)>; Lake, Stephanie (USANYS) <[SLake@usa.doj.gov](mailto:SLake@usa.doj.gov)>; Lynch, Garrett (USANYS) [Contractor] <[GLynch@usa.doj.gov](mailto:GLynch@usa.doj.gov)>

**Subject:** Proofing and then I'll file these objections

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One St. Andrew's Plaza

New York, New York 10007

Phone: (212) 637-2038

Email: [jane.kim@usdoj.gov](mailto:jane.kim@usdoj.gov)

Exhibits to the October 16, 2020 Declaration of Michael K. Krouse

# EXHIBIT 75

**From:** [Krouse, Michael \(USANYS\)](#)  
**To:** [Crowley, Shawn \(USANYS\)](#); [Emil J. Bove \(Emil.Bove@usdoj.gov\)](#)  
**Cc:** [Kim, Jane \(USANYS\) 4](#); [Lake, Stephanie \(USANYS\)](#)  
**Subject:** Here is the reply  
**Date:** Sunday, March 8, 2020 11:19:00 PM  
**Attachments:** [Defense reply.pdf](#)  
[Defense reply \(attachment\).pdf](#)

---

Michael Krouse  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2279